

## **DETAILED ACTION**

### ***Response to Amendment***

The amendment filed on 17 January 2008 canceling all claims, claims 1-5, drawn to the elected invention, a means for connecting pipes, i.e., a pipe connector, and presenting only claims drawn to non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because newly presented claims 10-13 and 15-20 are drawn to the combination of a means for connecting pipes, i.e., a pipe connector, with a means for compressing a pipe, i.e., a preloading tool, requiring a preloading tool (positively recited in claim 10, line 2), a combination not originally presented nor originally examined on the merits. Further, newly presented claim 14 is not readable on the elected invention because newly presented claim 14 is drawn to a method of connecting pipes, an invention not previously claimed. Previously presented claims 6-9 have been withdrawn from consideration as being drawn to the non-elected invention of a means for compressing a pipe, i.e. a preloading tool, as indicated in the Office action mailed 10/18/2007.

The Examiner notes that in the Restriction Requirement mailed 07/09/2007, the Applicant was required to elect between the invention of a means for connecting pipes, i.e., a pipe connector, and the invention of a means for compressing a pipe, i.e., a preloading tool. Applicant elected in the reply filed 08/08/2007 the invention of a means for connecting pipes, i.e., a pipe connector, for examination on the merits. The Examiner further notes that “The general policy of the Office is not to permit the applicant to shift to claiming another invention after an election is once made and action given on the elected subject matter”, see MPEP 819.

Art Unit: 3679

The Examiner notes that it is unclear as to the intended dependency of newly presented claim 20, since claim 20 recites in line 1, "A method as claimed in claim 10". A lack of clarity exists as to dependency of claim 20, since claim 10 is drawn to product, i.e. a "pipe connector", and not a method. Claim 14 is the only instant claim drawn to a method, i.e. "A method of connecting pipes". For purposes of the discussion above, the Examiner has treated claim 20 as being dependent upon claim 10.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAY R. RIPLEY whose telephone number is (571)272-7535.

The examiner can normally be reached on 01:00 P.M. - 8:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3679

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jay R Ripley/  
Examiner, Art Unit 3679  
05 March 2008

/Daniel P. Stodola/  
Supervisory Patent Examiner, Art Unit 3679